THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

Writ Petition No.13396 of 1999

Dated 08-08-2007

Between:

M. Swarajya Lakshmi, and others.

…Petitioners

And

The District Collector, Khammam and another.

…Respondents

THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

Writ Petition No.13396 of 1999

ORDER:

The petitioners claim to be the owners of 12 acres of land, in Sy.Nos.29, 32, 33 and 33/A, of Annaram Village, Mulakalapalli Mandal, Khammam District. They complain that the Mandal Surveyor inspected their land, on 22-06-1999, and started measuring. On verification, he is said to have replied to the effect that the land is needed for being distributed to the weaker sections. The petitioners state that no proceedings under the Land Acquisition Act (for short '*the Act*') were initiated, *vis-à-vis* their land, and the respondents cannot be permitted to interfere with their possession.

Though eight years have elapsed, no counter-affidavit is filed.

Heard the learned counsel for the petitioners, and learned Government Pleader for Revenue.

The assertion of the petitioners that they are the owners of the land, referred to above, remains unrebutted. Even assuming that the respondents have any right to proceed against the land, they can do so, only after following the procedure, prescribed by law. In case, the petitioners' land is needed for any public purpose, proceedings under the Act, are to be initiated.

While ordering notice before admission, on 07-07-1999, this Court granted interim order, directing the respondents, not to dispossess the petitioners, except through due process of law. The said order continues, as on today.

For the foregoing reasons, the writ petition is allowed, and the respondents are directed not to interfere with the possession of the petitioners, over the land in Sy.Nos.29, 32, 33 and 33/A of Annaram Village, Mulakalapalli Mandal, Khammam District, without following the procedure, prescribed by law.

There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.08-08-2007.

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